

## SPECIAL SESSION Panel on the Current Crisis in the Church

INTRODUCTORY COMMENTS  
BY DANIEL RUSH FINN, PANEL MODERATOR

We gather at this special session this evening during this 2003 CTSA Convention to consider the possible contributions of our academic society in the context of the current crisis in the Catholic Church in the United States.

The crisis is both broad and deep. A summary of the problem is hard to come by, in part because the U.S. Bishops have declined to gather statistics on the problem. An extensive study published by the *New York Times* covered the last half century up through December 31, 2002. The Times reports that 161 of the 177 Latin rite dioceses in the U.S. have been involved. 4,268 people have claimed publicly or in lawsuits that they have been abused by priests; 1,205 priests have been publicly accused. Few doubt that the numbers actually involved are much larger than those formally reported in the press.

It is certain that some victims have not come forward, given the personal hardship that accompanies both the original abuse and the public airing of the case. In addition, reporting of existing cases is incomplete. The Times study concluded that 1.8 percent of all priests who had been ordained from 1950 onward are known to have been accused of abuse. At the same time, the percentage of priests known to be accused is much higher in those dioceses that have made public (whether under court order or by choice) a complete list of priests accused. In Boston that percentage is 5.3; in Baltimore, 6.2; and in Manchester, New Hampshire, 7.7.

Even more important than the general statistics are the effects in the lives of the victims and their families over these many decades. One does not need to be a parent to understand the disillusionment and anger of victims and their families, but the thought that one's own children could have been or could yet be the victim of such an evil brings to the surface of consciousness such an intensity of anger that one reels in shock at the retribution to which such an experience might bring even a committed Christian. As the father of two children I find it difficult to decide whether to be angrier at the perpetrators or at those bishops who routinely reassign them. When we read—as we have this week—that bishops can negotiate for their own legal immunity from prosecution after allowing predators within their flocks, the image of the good shepherd is indeed a long way off. Apologies ring hollow when they cover “my shortcomings and mistakes,” as one well-known bishop phrased it in a carefully crafted statement. Instructions that in order to “protect the church” bishops should not resign in spite of legally

indictable malfeasance only contribute to the popular perception that bishops are comfortable in their sense of entitlement and unaccountable power.

At the same time I am deeply grateful that all the priests my own children have ever come to know have been for them exemplars of the Christian moral life and of dedicated celibate service to God's people. In the midst of our frustrations and anger we all need to remind ourselves of the blessings we receive constantly from so many good priests and bishops in our broken world.

One year ago, as you may recall, the CTSA considered in open session an excellent statement written by Lisa Cahill, Richard Gaillardetz, and Ladislav Orsy. We are in their debt. The revised paper has been available on the CTSA website. At its meeting last June, the CTSA Board initiated a process that would engage the Society more systematically in a response to the current crisis. I had the honor of serving as chair for this ad hoc committee on which also served Roberto Goizueta, Stephanie Mitchem, Bishop Donald Trautman, and Susan Wood. Our committee proposed a plan at the Board's October meeting which is being implemented beginning with this annual meeting and this session tonight. Our proposal was that the CTSA integrate a response to this crisis within the already existing working groups that account for most of the sessions at our annual meeting. The plan, in other words, is that CTSA members are urged to address the various dimensions of the current crisis in the coming years through the ordinary activity of our working groups. For this reason, President John Nilson has asked all program committee chairs and all others possible to attend this evening's session and to discuss follow-up at the organizational session for their working groups.

Behind this plan is the awareness that as a professional society we are not well suited to providing psychological help to victims or managerial advice to the bishops, though some individual members certainly are. Our contribution is to initiate theological reflections on the resources available to the church in its own theological history that can be brought to bear on the various problems related to the current crisis.

When I began thinking about this process I consulted a Benedictine priest and psychologist at St. John's, where I work. Father Roman Paur has been director of the Abbey's Interfaith Sexual Trauma Institute, established a decade ago at St. John's. Roman has crisscrossed the nation lecturing and consulting on issues related to this crisis in the church. When I asked about any advice he might have for this session tonight, his comment was that this was the first time in the ten years of his work on this crisis that the explicitly theological needs of the church are the focus of attention. From his perspective this is a badly needed addition to the conversation. For all the Church's theological convictions, when the temperature in the room rises it has been the attorneys and psychologists who have done most of the talking, or at least it is their advice that has been most often solicited.

In order to assist in the church's appropriation of theological insight, this evening's session is structured around an initial, brief statement by six of our members. Five will each identify issues within in their own field in theology that need to be addressed. These are Robert Imbelli of Boston College to address Ecclesiology; Richard Gula of the Franciscan School of Theology to address Moral Theology; Mary Katherine Hilkert of the University of Notre Dame to address Christian Anthropology; Cynthia Crysdale of the Catholic University of America to address Spirituality; and Gary Riebe-Estrella of the Catholic Theological Union to address Pastoral Theology. Each panellist has been asked to limit their oral remarks to five minutes to allow ample time for conversation in the broader audience afterward. (A slightly longer form of each will be published in the Proceedings.) I hope you will pardon the panelists for the necessity for incompleteness which our process is forcing upon them. Following these presentations Richard Sklba of the Archdiocese of Milwaukee will present a bishop's perspective on these issues. I should add that since the soliciting of panelists could not occur until after the October board meeting when the convention program was already set, the usual CTSA rule against appearing more than once on the program was waived in this case.

This crisis has been with us for so long and with such intensity that it begins to wear down even the strongest among us. We become inured to its breath and intensity. It is, arguably, the greatest crisis the Catholic Church in the United States has ever faced—and Catholic theology has much to contribute.

So let us begin. I turn the microphone over to the first of our panellists this evening, Bob Imbelli.

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#### ECCLESIAL CRISIS AND THE ECCLESIAL VOCATION OF THEOLOGIANs

In times of anguish we often turn to poetry to give voice to our lamentation and our hope. Reflecting upon our situation and task, I found these words of T. S. Eliot, in *The Four Quartets*, provided perspective and orientation. First, with regard to the pain and confusion:

... Had they deceived us  
 Or deceived themselves, the quiet-voiced elders,  
 Bequeathing us merely a receipt for deceit?  
 The serenity only a deliberate hebitude,  
 The wisdom only the knowledge of dead secrets  
 Useless in the darkness into which they peered  
 Or from which they turned their eyes. (T. S. Eliot, "East Coker")

But also, a possible approach to our theological responsibility and task:

. . . our concern was speech, and speech impelled us  
 To purify the dialect of the tribe  
 And urge the mind to aftersight and foresight. . . (T. S. Eliot, "Little Gidding")

How, then, can theologians help in the current crisis? May I suggest that our ecclesial vocation as theologians is to be stewards of the rich and comprehensive Catholic theological language. Our challenge is to purify that language and mint it afresh. But, in times of stress like the current crisis, an important dimension of that challenge is not to succumb to reductive and sectarian temptations that impoverish rather than enrich our linguistic heritage. (Especially, let us admit frankly, in the face of the blandishments of a press whose imperative is often polemical and whose style is impatient of nuance.)

Hence, I propose, as a metaprinciple, if you will, that the overarching ecclesiological task is to address all specific issues employing the full-orbed "both/and" of the Catholic linguistic tradition: the rich storehouse from which we can draw, as good stewards, things new and old. (See the courageous employment of this principle by Luke Johnson in *The Future of Catholic Biblical Scholarship*, Eerdmans, 2003.)

Thus the following five bullet points remain, intentionally, mostly at a "second order" level. One might call them five soundings of the "depth grammar" of the language of Catholic ecclesiology. I present them, for your consideration, as criteria for measuring the ecclesial adequacy of our "first order" proposals and projects. I do so from the conviction that our current ecclesial situation is perilous indeed and that it demands a heightened awareness of theologians' ecclesial responsibility—perhaps even, as Lonergan would suggest, a conversion.

First, then, there can be *no ecclesiology without Christology*. For, indeed, ecclesiology is a function of soteriology, which itself is a dimension of Christology. The great mosaic in the Roman basilica of San Clemente of the cross as tree of life, from which blossoms the Church, expresses the vision with artistic and theological genius.

Put into another linguistic register: the body which is the Church is never headless. For the risen eucharistic Christ is always the source of its communion. The wonderful work of Jean Marie Tillard, *Flesh of the Church, Flesh of Christ* (Liturgical Press, 1994), can serve as model of the sort of investigation we need to undertake. While, in a more pastoral key, Ronald Rolheiser articulates a like conviction:

For Christians, Jesus Christ is the center of everything: our meaning, our hope, our self-understanding, our church lives, our theologies and our spiritualities. . . . Long before we speak of anything else (church, dogmas, commandments, even admonitions to love and justice), we must speak about Jesus, the person and the energy that undergirds everything else; after all, everything else is merely a

branch. Jesus is the vine, the blood, the pulse, the heart. (*Holy Longing*, 73, 74)

A second grammatical rule complements the first. There can be *no ecclesiology without pneumatology*. This second organic nexus needs ongoing and deepened exploration. We are all, of course, indebted to the great work of Yves Congar and it continues to provide inspiration and direction. But, in our own "pathfindings" in pneumatology, I think we must pay particular heed to his own conclusion: "no Christology without pneumatology and no pneumatology without Christology" (see Yves Congar, *The Word and the Spirit*, Harper, 1986, xi). And Congar continues: "The Spirit displays something that is new, in the novelty of history and the variety of cultures, but it is a new thing that comes from the fulness that has been given once and for all by God in Christ" (*ibid*, 71). The tensive rhythm of *anamnesis* and *epiclesis* which structures the life of the Church must also govern Catholic ecclesiology. For it is no anonymous Spirit we invoke, but the Spirit the Father sends in the name of Jesus (John 14:26).

The third challenge we face is to honor and fashion an ecclesiological language that holds in creative tension the institutional, the intellectual, and the mystical dimensions of Church. We still have much to learn or relearn, in this regard, from the vocabulary crafted by Newman and von Hugel, drawing upon the threefold office of Christ and its realization in the Church.

May I be permitted to sound a caution regarding the defectively Catholic syntax that speaks, without nuance, of "the institutional Church" or the "hierarchical Church." Though it is tempting to have recourse to such shorthand terms in a time of understandable anger and frustration, I think such usage a violation of Vatican II's "grammatical rule" in the famous paragraph 8 of *Lumen Gentium*.

But the society furnished with hierarchical organs and the Mystical Body of Christ, the visible assembly and the spiritual community, the earthly Church and the Church enriched with heavenly gifts are not to be considered as two realities. Rather they form one complex reality which is comprised of a divine and a human element.

Part of the danger of the present tragic crisis is that it has already promoted a drift to congregationalism. It would be a further tragedy if our writing and our speaking were to abet that drift.

A fourth concern that has already received considerable attention is often discussed under the heading: "participation in the Church." It embraces such pressing issues as consultation, collegiality, and accountability. It, of course, raises fundamental questions about the meaning and exercise of authority in the Church.

Though, clearly, we have much to learn from disciplines like psychology, sociology, and even management, I suggest that the forging of a comprehensive language must draw primarily upon a distinctively Catholic vision and sensibility.

Native to Catholicism is the language of sacramentality. Exploring the understanding of authority in sacramental terms could make clear that truthful communication, spiritual discernment, and collegial accountability are ingredient

to the authentic exercise of authority. For relationality is intrinsic to sacramentality. Such an appeal to "sacramentality" does not privilege clerical power. It undermines power understood as domination because it underscores the mutual dependence of priestly people and ordained priests on the one High Priest, Jesus Christ, who alone is author of life for his body, the Church. This exploration might also provide resources for a sorely needed reconfiguration of the theology of ordained ministry.

Fifth and finally, though questions of morality feature prominently in the present crisis, I suggest that the language of morality needs itself to be rooted more deeply in the grammar of Catholic spirituality. Here a cluster of terms like "conversion," "transformation," and "holiness" serve to lead us into the very heart of the gospel of Jesus Christ: the paschal mystery of cross, resurrection, and outpouring of the Spirit.

The actual practice of theologians like Hans Urs von Balthasar, Frans Jozef van Beeck, and William Thompson, of consulting the saints and mystics in the doing of theology can show the way. They also provide precious theological insights towards elaborating the "Spirituality of Communion" called for by Pope John Paul II in *Novo Millennio Ineunte*. Such a spirituality undergirds the efforts of the Catholic Common Ground Initiative pioneered by the late Cardinal Bernardin, whose leadership in the current crisis we so deeply miss. (See the perspectives presented in Bernardin and Lipscomb, *Catholic Common Ground Initiative: Foundational Documents*, Crossroad, 1997.)

I have consciously remained at this second order level, convinced, with you, that the present grave crisis admits of no quick fix. We are all committed to the long haul, and we need to be faithful stewards of the comprehensive ecclesiological language entrusted to us. As we prepare, then, to celebrate the great feast of Pentecost, we pray that our ecclesial language and life may truly be reformed in Pentecostal fire.

The poet intimates both the risk and promise of such prayer:

The dove descending breaks the air  
 With flame of incandescent terror  
 Of which the tongues declare  
 The one discharge from sin and error.  
 The only hope, or else despair  
 Lies in the choice of pyre or pyre—  
 To be redeemed from fire by fire.

(T. S. Eliot, "Little Gidding")

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## CRISIS IN THE CHURCH: ETHICAL REFLECTIONS

An ethical reflection on the crisis in the church identifies four interdependent but different spheres of interest: (1) the moral imagination to frame this crisis; (2) social analysis to uncover the social sins at the root of the crisis; (3) the wisdom of boundaries to manage the inequality of power in ministerial relationships; and, (4) the character and virtue of persons being recruited and trained for ministry in the church as well as of those doing the recruiting and training.

1. *The Moral Imagination.* The first level of ethical interest is the moral imagination. Since we respond to what we see, the initial question for an ethical analysis is "What is going on here?" In this case, we must ask, "What is the crisis?" How we frame what is going on will greatly influence the features of the situation that we will regard as morally significant, how we reason about it, and the action we take towards it. Framing and assessing the morally relevant features is a function of the moral imagination. The way we name the crisis will call forth different kinds of responses and provide warrants for different points of emphasis. So we can expect that people will differ in their assessments and proposals for a response to the crisis depending on the way they imagine it. Some recurring ways that the media has framed this crisis are: a public relations problem, a cover-up, a scandal, criminal activity, a personnel problem, a failure of leadership, a financial drain, a loss of credibility, celibacy, pedophilia, and sexual abuse.

My own imagination sees these as symptoms manifesting a deeper cause—power. I interpret the crisis in the church as the misuse of power. The way we use our power is the fundamental influence operating in every sphere of interest. I propose that ethics can contribute to understanding this crisis by analyzing the dynamics of power at work in the structures of ecclesial authority, in the styles of administration, in individual pastoral relationships, and within the individual minister. While we may readily think that having power will only lead to morally negative action, it need not. Power can also liberate. So an ethical analysis of power may help us take seriously its capacity to influence for good or ill.

2. *Social Sphere.* Catholic social thought has given increased attention to the injustice manifest as "social sin." This notion refers not only to structures, policies and practices that violate human dignity, but it also includes complicity in wrongdoing. We reinforce unjust situations and intensify the harm done to others when we participate, even if blindly, in practices that undermine our commitment to promote the equal dignity of persons and to protect the marginalized and vulnerable. For example, in relation to this crisis, any use of sexual orientation to discriminate or scapegoat contributes to supporting attitudes and conditions that hinder pastoral efforts to make the church a safe haven for everyone. Conversion from social sin requires that we name our social sins, analyze them,

and then remain open to the structural reforms that this analysis may point out so that we can liberate those who are at risk of exploitation or exclusion.

Social ethics reminds us that the values the church proposes for others must be the very ones it assimilates in its own structures, policies, and practices. In the social sphere of influence, then, we need to look at the systemic structures that have the capacity to affirm or undermine the dignity of persons. Some of the structures that may be at the roots of the misuse of power in the church are clericalism, patriarchy, authoritarianism, heterosexism, and the personnel practice of reassigning known sexual offenders. While structures such as these may be contributing to the crisis in the church, there are other ordinary structures of governance that we could engage more effectively in their potential for positive change, such as the parish pastoral council, the diocesan college of consulters, the senate of religious, and the presbyteral council. New structures of solidarity and shared responsibility reflecting our theology of baptism rather than our politics of hierarchy may yet be introduced from the top or emerge from the grassroots to give a greater role to the laity in developing public encouragement and accountability to those in ministry. Practices that involve structures of solidarity composed of lay and clerical members sharing responsibility for the public accountability of ministry in the church may help restore credibility to the church's social witness.

3. *Interpersonal Sphere.* The interpersonal sphere of interest directs our attention to pastoral ministry, the arena of perpetrators of sexual abuse. This misuse of power has damaged the trust in the pastoral minister's fiduciary responsibility. This means that in exercising pastoral care the pastoral ministers must use their power in ways that will serve those seeking pastoral service and not exploit their vulnerability by using them to satisfy one's own needs for attention, acceptance, pleasure, companionship, profit, or prestige. The inevitable inequality of power in the pastoral relationship puts the greater burden of responsibility on those in ministry to set and maintain boundaries that safeguard the vulnerable.

A relational-responsibility ethics helps us uncover some of the core issues of the interpersonal sphere that contribute to the crisis in the church. Two stand out: (1) managing dual relationships, and (2) satisfying one's own needs apart from the pastoral relationship. Dual relationships are inevitable in most forms of pastoral ministry because parochial ministers get involved in multiple dimensions of people's lives, not just the specifically religious one. The danger in a dual relationship is to confuse the pastoral role with social roles, business relationships, or friendships. Such mixing of roles too easily risks taking advantage of the ministerial role to get personal favors. Similarly, the inability to satisfy one's needs apart from the pastoral relationship can also lead to exploitation. This misuse of power can often be traced, not to malicious intent, but to ministers being unaware of their needs and then taking advantage of those they are to be

serving because they are convenient. Ministers must develop habits of critical self-awareness and good self-care if they are to avoid exploiting the vulnerable.

4. *The Personal Sphere.* The personal sphere asks "Who is involved?" There are many players in this crisis—insurers, lawyers, journalists, bishops, pastoral ministers, parishioners, victims, and others. My primary interest is in the character and virtues of those being recruited and trained for ministry, as well as of those doing the recruiting and training. Virtue ethics can be a helpful resource here, for it affirms that we live more of our life out of habits than out of consciously calculated reflection. Our habits reflect how choices we have made and the influence of social systems have become so deeply ingrained in us that they tend to give consistency to behavior over the long haul. This insight of virtue ethics calls into question the zero tolerance policy.

When it comes to having a character fitting for ministry, the choices we have made and our experiences of formative systems, like family or schools, that confirm us in one set of habits or another are matters of great importance. Our well-established habits set us on a course of how we are most likely to think, feel, and behave even when we are not under the watchful eye of a personal supervisor or the general public. Since a great deal of the kind of behavior that has been named scandalous is behavior done in private, we need virtuous people in ministry who will act with the integrity of good moral character even when no one is watching. So the habits we form prior to entering a ministerial formation program have a great influence on the kind of minister we become and the style our ministry will take. If it is true that grace builds on nature, then we ought not to be recruiting anyone who does not possess at least incipient habits that we believe are necessary for pastoral ministry. Virtue ethics confirms that selection is the most important phase of ministerial recruitment and formation. Long before a person enters a formation program, habit formation, and so character formation, is well advanced.

Virtue ethics challenges those who are responsible for recruiting as well as training candidates for ministry in at least two ways: (1) to have a clear vision of the kind of person who could fulfill the ministerial role, and (2) to have the interviewing skills that will enable them to screen candidates in order to select people with the moral character and the spiritual and psychological health that fits the particular ministry. Selection is often the first and last word on effective ministry. If we do not start with a person of good character, we are not likely to get one at the end of our formation programs.

Ethical reflection, then, can contribute to responding to the crisis in the church by helping us interpret the crisis, analyze the social sins at its roots, safeguard pastoral relationships through appropriate boundaries, and require character and virtue in those whom we recruit for ministry and appoint to train them.

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THE CURRENT CRISIS IN THE CHURCH:  
ISSUES FOR THEOLOGICAL ANTHROPOLOGY

There are so many diverse ways of approaching the field of theological anthropology—the mystery of being human in relation to the mystery of God—that a vast array of issues related to the present crisis in the church emerge. To begin the conversation, let me make one observation and then suggest eight items for our ongoing theological agenda.

*An Observation*

The present crisis, initiated by but not limited to clerical sexual abuse and the coverup and duplicity by ecclesial authorities, is a clear example of what Edward Schillebeeckx has called a “negative contrast experience.” This situation in which the voices of the faithful (including the organization of 30,000 mainstream Catholics so-named) have protested “this cannot go on,” while prompted by events which cannot be identified in any way with God’s will for the church, nevertheless holds the potential to reveal a new movement of the Spirit calling us to a fuller understanding of what it means to be human as well as what it means to be church. We may have academic disagreements about how we are to define human flourishing or personhood, but the outrage in this crisis shows that we are far more clear about what violates human dignity and human behavior, much less ecclesial practice. This insight also has implications for pneumatology and ecclesiology since it raises the question of how the Spirit operates in the church and the world bringing us into fuller truth, especially in the face of resistance to that truth.

*Proposals for Our Research Agenda and Ongoing Discussion*

1. While the present crisis is fundamentally about abuse of power and betrayal of trust, the outrage over sexual abuse and its coverup has raised related questions not only about celibacy and sexual morality, but also about the underlying theology of sexuality and theology of the body which are operative in church teaching. In formulating a more credible and persuasive theology of sexuality, we as theologians, as well as the bishops in their role as official teachers of the church, need to consult and listen to the experience of women as well as men, the experience of married couples, the experience of gay and lesbian Catholics, the experience of single persons, and the experience of committed celibate persons. Further, as Christine Gudorf argued in her presentation at the seminar on Women’s Constructive Theology, it is imperative that we engage in a serious dialogue with the natural and social sciences as they explore the complexity of sexual identity and experience, dispute whether sexual categories are socially constructed rather than biologically given, and challenge the dimorphic patterns of sexuality which have been assumed in church teaching in the area of sexual morality. Recent sessions of the society on the theological

assumptions underlying the church's official teaching on homosexuality have drawn a large number of participants. The 1998 CTSA seminar in honor of André Guindon called for greater honesty in that area and in our discussions of sexuality in general. At the same time, participants in that seminar and others have repeatedly reaffirmed the need for a prophetic critique of cultural attitudes about sexuality including the commodification of sex in a capitalist society.

Likewise there are other topics which have been the focus of individual sessions at our conventions, but which would benefit from sustained and ongoing discussion and debate such as the question of gender complementarity and theology of the body. How fundamental is sexual difference—both female/male difference and differences of sexual orientation—in defining us as persons or in determining our vocations? How has Mariology functioned not only in ecclesiology, but also in Catholic teaching about what it means to be human, especially in defining and prescribing the full humanity of women? What is the relationship between our theology of the body and not only our theology of marriage, but also our entire sacramental theology? At the same time we need to avoid reducing a theology of the body to a theology of sexuality and to situate our discussions of the sacramentality of the body within the context of larger questions of the cosmos and its future, the sacredness of matter, the relationship between spirit and matter, and Christian hope for the resurrection of the body.

2. Theology of desire. What is the relation between our desire for God and our other human desires, including sexual desire? How do we explore this question theologically without overemphasizing disordered desire (concupiscence) and its consequences, but also without ignoring them? While this discussion cannot be limited to a focus on sexual violation, reflection on the impact of sexual violation on one's identity and spirituality is crucial. A contemporary theology of sexuality needs to take account of not only the present ecclesial crisis, but also the larger global dimensions of sexual violence, the worldwide violation of women and children, and the patriarchal biases in social, governmental, and familial structures that permit and perpetuate that violence.

3. All of this will require further debate and clarification about a theology of the person and what we do and do not mean by the claims that persons are essentially relational and/or social. How do we understand relational autonomy? What constitutes "right relations" between persons and how do we determine that? More minimally, what constitutes violation of the person? Because persons are in a profound way socially constituted, this discussion will require analysis of the dynamics of power in interpersonal relationships, cultural patterns, and social structures (including ecclesial structures) which allow the violation of the human dignity of children and other vulnerable persons.

4. Since the abuse of power is fundamental to this crisis, it would be valuable to revisit multiple aspects of one of our convention themes from a number of years ago—the theology of power. Among the topics that need further exploration are the relationship between spiritual power and erotic power, the exercise of power and the possibility for domination and violence in sexual

relationships, the appropriate exercise of spiritual power, the charisma of leadership and the exercise of authority in Christian communities, the power of evil, ecclesial misuse of power, the power of laity, the power of grace, and the Holy Spirit as source of all power.

5. The dynamics of grace and even some ongoing aspects of the early twentieth-century nature/grace disputes also would benefit from further reflection in relation to this crisis. We might begin with Thomas Aquinas's insight that, according to the Blackfriars' translation, "grace does not scrap nature." Grace transforms or "builds on" nature; grace is mediated in and through concrete human beings and human processes. This has implications for the selection and formation of candidates to priesthood as well as for processes of healing for individuals, for reestablishing trust in communities, and for developing ecclesial structures of accountability. God's grace is always available, but not in place of or as a substitute for the hard work of therapy, or of difficult and honest conversations in which church leaders listen and learn as well as speak. As Catherine of Siena wrote to Pope Urban VI in trying to advise him to listen to a broader circle of advisors: "So far as authority is concerned you can do everything, but in terms of vision, you can see no more than any one person can. . . . And I know that your holiness really wants helpers who *will* help you, but you have to be patient in listening to them!"<sup>1</sup>

Another aspect of the theology of grace which needs further theological attention is the relationship between creation, baptism, and ordination. What kind of fundamental change or transformation occurs in baptism and/or ordination? What is our understanding of how we are empowered by grace and the charisms of the Spirit? What responsibilities follow from that action of the Spirit? What is our theology of celibacy as a charism? To whom is it given and why?

Insights from feminist and liberation theologies about the grace of resistance, the grace of saying "No," and the power of anger in the work of love, have implications for catechesis and moral formation of children as well as for the spirituality of women and all adult Christians.

6. Bernard Lonergan's analysis of how bias affects human self-transcendence, group dynamics, institutionalized structures, and the human condition even at unconscious levels, can help us to understand more fully the dynamics of denial, rationalization, silencing and complicity that we have all participated in to some extent. That insight can help us to become more aware of our own

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<sup>1</sup>Catherine of Siena, letter to Pope Urban VI (T 302), trans. Suzanne Noffke, unpublished vol. 4 of "The Letters of Catherine of Siena." See also Catherine's appeal that Urban establish a council of the servants of God in addition to the Cardinals and his political advisors in *The Prayers of Catherine of Siena*, ed. Suzanne Noffke (New York: Paulist Press, 1983) prayer 12, lines 174-78, p. 103; and Noffke's note, 106n.11.

biases as we continue in what will necessarily be a long-term process of personal and ecclesial conversion.

7. This crisis also reminds us of the need for a developing a theology of finitude and failure. How do we theologize from and about our limited and broken human condition? Where and how is God's grace operative at the limits of human experience, and in spite of our guilty failure?

8. Another obvious topic for further theological work concerns the dynamics of betrayal and forgiveness, and how individuals and communities reestablish trust in broken relationships. Here again, our reflection would be enriched significantly by dialogue with colleagues in the human sciences especially those in the fields of psychology and the social sciences. The theme for next year's convention—"Reconciliation: Gift and Challenge"—offers one opportunity to address this ecclesial crisis in the context of the church's support for global efforts to move beyond violence and to establish just human communities through processes of truth and reconciliation.

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#### THE CURRENT CRISIS IN THE CHURCH: ISSUES IN SPIRITUALITY

In the household in which I was raised, there were two things everyone knew existed but no one ever discussed: sex and God. Aside from the occasional discussion of a sermon at the Sunday dinner table, the mention of religious feelings, questions, doubts, devotions toward God, or of a personal relationship with Jesus, were taboo. These issues were too sensitive to be exposed to the light of day. Likewise, though of all of us came to know just what was going on when our parents' bedroom door was closed on Friday nights, no one ever acknowledged sexual needs, bodily cycles: even childbirth was discussed in a certain hushed tone.

Now this presence yet absence may have been a phenomenon of stoical Calvinism. But the point is that both spirituality and sexuality have to do with intimacy. And intimacy is something that comes to light, and should come to light, only in carefully circumscribed ways.

My assigned topic is spirituality, so I want to address issues of *spirituality*, *intimacy*, and *discernment*. *Intimacy* has to do with crossing boundaries. Boundaries can protect one's deepest emotional, psychic and spiritual self. Boundaries can also be violated, causing untold damage to one's deepest emotional, psychic, and spiritual self. *Discernment* is at the heart of spirituality, indeed, one could say that the whole of the spiritual journey is a matter of

learning skills for the discerning of spirits. Discernment is not just about occasional decision making. It goes to a deeper level of sorting out one's feelings and discovering which ones orient one to self-transcendence and which ones are merely addictive and self-indulgent. In Ignatian terms it is a question of recognizing consolation—movement toward God—as distinct from desolation—tying one's self up in one's self.

Now, because intimacy is about the sharing of one's self in its most vulnerable aspects, discernment becomes all the more important when one is crossing boundaries, in relation to God or in relation to another human person. And because one's ability to discover God's action may be limited by lack of experience or the distortion of sin, we all need the guidance of a community of discerners. This community can take a myriad of forms, from friends and colleagues to ritual and sacrament, from Bible study to pastoral counseling, spiritual direction, and the confessional. But such engagement itself involves certain risks and boundary crossing in order to be effective.

Hence, one needs to delineate the criteria for authentic intimacy, boundary crossing, and community discernment. In the context of the exercise of church leadership—behind closed doors—dealing with sexual and/or abusive relationships—also occurring behind closed doors, this involves distinguishing between *confidentiality* and *secrecy*.

*Confidentiality* serves to set healthy boundaries so that the terrain of intimacy can be explored in safety. Such terrain can involve one's relation to God, or one's sins, one's fears, one's hopes, dreams, sexual desires or actions. The rubric of confidentiality provides safety. One is assured a certain freedom of exploration without fear of exposure. Though confidentiality is a matter for a great deal of legal debate, it is first and foremost an unwritten set of rules about communication. Ultimately, the point of *setting* the boundaries of confidentiality is so that the boundaries of community may be *expanded*.

*Secrecy* also sets boundaries. But the objective of secrecy is not to provide safety and exploration of intimacy. Rather, it is to protect those privy to secrets from public exposure, or to privilege the holders of secrets with power over others. The goal of secrecy is not the self-transcendence and growth of those sharing secrets but the sheltering of certain persons from accountability. Whereas confidentiality has its foundation in love and compassion, secrecy is grounded in fear, shame, and self-loathing. The grace, compassion, and humility of confidentiality is replaced by the power, oppression, and arrogance of secrecy. Whereas confidentiality expands community, secrecy restricts community to a privileged elite.

These questions of discernment, intimacy, confidentiality, and secrecy cannot help but spill over into questions of community itself—the ecclesiology and polity of the church. How does a community dedicated to the transformation of lives through faith in Jesus Christ structure itself in order to create the safe spaces for discernment and exploration of intimacy? What is the nature of the relationship between a community of discerners and its individual members? If

certain persons in leadership are designated as agents of discernment, how can they be held accountable for their actions while also being given the trust needed for the exercise of their gifts? How can a community dedicated to the justice of the Kingdom of God manifest such justice internally as it seeks to heal the wounded and forgive sinners?

In a December report in the *Washington Post* about an agreement made between Prosecutors in New Hampshire and the Diocese of Manchester, Attorney General Philip T. McLaughlin was quoted as follows: "In [the Manchester diocese's] weighing the question of obligations to children, versus the question of weighing the reputation of the diocese . . . the children weighed very little. . . One could make the argument that that occurred in many dioceses across the nation."<sup>1</sup> Such "weighing" is the heart of discernment, and clearly the concerns of secrecy—having to do with "reputation" rather than protection of the innocent—has held sway over many decades. The Church needs to rediscover the skills of discernment, re-create authentic structures of communal discernment, and delineate for itself the criteria by which spiritual guidance takes place in a realm of confidentiality rather than secrecy.

In sum, theologians can assist the Church by addressing the following issues:

1. Spirituality and sexuality as different but related kinds of intimacy.
2. The role of discernment in spiritual and sexual formation.
3. The role of community discernment in the Church. Who are the agents of discernment? How can a wider community be involved in discerning the future of the church and its pastoral ministry?
4. Distinguishing the positive role of confidentiality from the destructive role of secrecy in spiritual direction and pastoral ministry, especially ministry to pastors themselves.

As a final note, let me add that many of these issues are surfacing in litigation over various sexual abuse cases. It is important that the secrecy that has dominated community "discernment" over the past decades be unveiled. It is essential that those who have used their role as agents of discernment to protect reputations at the expense of violating the intimacy of innocent children, be held accountable. But it would be a great tragedy if the Church allowed these questions of discernment, community, confidentiality, and intimacy to be played out in the civil arena of litigation, rather than examined by the community itself. Roman Catholic theologians have at their disposal wonderful resources from the best of monastic traditions and religious orders in which both authority and communal discernment have been exercised authentically. In an ecumenical age they can tap the resources of other Christian communities as they have struggled with these issues in the recent decades. Alternative church polities and practices, such as the Quaker heritage of communal listening and consensus, can serve this

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<sup>1</sup>Pamela Ferdinand, "New Hampshire Diocese Reaches Deal on Abuse," *The Washington Post*, December 11, 2002, A3.

task as well. Such resources, rather than the adversarial tenor of the American legal system, need to be developed. This work will be in the service of creating a Church in which pastor and believer alike can expand the boundaries of community because they experience the wonder of exploring both sexual and spiritual intimacy within the safety of a discerning community with clear but porous boundaries.

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#### CURRENT CRISIS IN THE CHURCH

The issue we are trying to address this evening is a very complicated and multifaceted one, evidenced by the approach adopted by the designers of this conversation in convoking a panel of speakers from a variety of theological disciplines. The instructions given each panelist to be brief necessitates a certain simplification in presentation which does not allow for the kind of nuancing one might wish. That said, what follows is a brief reflection, from the perspective of pastoral theology, on the issues raised by the sexual abuse scandal which might call for further scholarly research.

At a symposium last spring at Catholic Theological Union on the crisis in the church caused by the sexual abuse of minors by priests and the way the instances of abuse have been handled or not handled by bishops and religious superiors, Prof. Thomas Nairn provided a helpful framework for analyzing the variety of approaches to this issue.

Historically, sexual activity by clergy has been viewed through a moral or religious lens. That is, such behavior has been considered under the rubric of sin. It has been conceived of as originating from a moral weakness or lack of will power on the part of the priest. The antidote was deemed to be the provocation of a firm purpose of amendment in the heart of the sinner. The presence of such a firm purpose would then lead to a cessation of sexual activity and the issue could be considered solved.

While this moral or religious lens is still used by some in the church as the primary medium for understanding and dealing with sexual abuse of minors by clergy, a clearer sense of the traumatic effects on the abused and the increasingly litigious nature of American society has led many to view the issue of sexual abuse through a legal or criminal lens. The issue at stake here is not focused on the interior life of the perpetrator, but rather on the violation of the rights of the abused and on the rights of a society to protect its children. The antidote is the use of criminal and civil suits. These serve to punish the perpetrator and any accomplices so as to minimize the possibility of any repetition of this reprehensi-

ble behavior. They also invoke a sense of restorative justice on behalf of those against whom the crime has been committed.

Advances in the mental health sciences have provided an additional lens for understanding and dealing with sexual abuse, a psychological one. It pushes beyond the moral/religious lens to unveil the functions of ideation and stunted sexual development. It exposes the role of the experience of having been abused. It distinguishes between pedophilia and ephebophilia. It more clearly establishes the risk factors for the repetition of abusive behaviors as well as evaluates the potential effectiveness of preventative measures.

While each of these approaches to the sexual abuse issue has merit, no one of them, particularly on its own, seems adequate to the task. An appeal to will power in the face of very real psychological underdevelopment and obsessiveness is ineffectual. Acknowledging the need for psychological treatment opens the abuser to criminal and civil liability. Psychological treatment itself is open to criminal malpractice suits. A purely legal approach pits the parties in adversarial relationships and, in the opinion of many, actually subjects to further abuse the one who has already been abused. Nor do these approaches alone or together appear to adequately address the sense of outrage connected both with the perpetration of sexual abuse on minors by clergy and with the reassignment of abusers by bishops and provincials.

A fourth approach needs to be developed, one that might be labeled "pastoral." At the heart of this approach lies what another colleague of mine, Prof. Avis Clendenen, has often quoted as the quintessential pastoral virtue, that of empathy. Empathy is that capacity to see the world through the eyes of another, from their social location. Like the virtue of compassion with which it is often equated, empathy is not solely, nor fundamentally, an intellectual assessment of a situation or event from the perspective of another, rather it is grounded in the ability "to feel with" another and then, as a second moment reflection, to move to the level of understanding. At the same time, empathy does not imply a loss of self. On the contrary, the result of empathy is the reconfiguration of one's own world as one's own, but now in light of the situation of the other.

Certainly the quality of empathy and the function of alterity are not in themselves unresearched. However, their application to the issues raised by the sexual abuse of minors by clergy could be a rich field for investigation. Let me mention just three of the opportunities which their consideration might present.

1. The attempts by bishops and superiors to withhold information from civil authorities and parish communities has sometimes been defended as a way of protecting the church from the infringement of the power of the state, of protecting the church from a soiled reputation in society at large. Also, back to the "lenses" notion, bishops often say they are doing this on the advice of their lawyers! If bishops and superiors had been empathetic with, not sympathetic to, the victims of abuse, might their understanding of their role as church leaders have been reconfigured away from that of protector of the institution and toward that of compassionately embracing the violated? Might reflection on empathy as

a primary ministerial virtue lead us to new reflections on the role of the ordained *within* the church, as brothers *in* the community, not as "configured to Christ the head" which too easily places them above the community and therefore *outside* of the community and so allows them to see themselves as protectors only of the institution? Might it force us to look for other better metaphors for the place of office than that of the "spousal relationship" adopted in *Pastores Dabo Vobis*, which, I would suggest, serves to encourage the seventeenth-century French spirituality of the priest as "one set apart," as the "alter Christus," as one *beyond* the community rather than *within* it?

2. If there is a connection between the area of human development in seminary formation and the occurrence of sexual abuse of minors by clergy, perhaps the focus of concern ought not to be psychosexual development per se, but the larger rubric of the capacity for empathy which requires mature human emotional engagement, the surrender of power in favor of mutuality, and the nonobjectification of the other for sexual gratification or any other purpose. Might not further reflection on the empathetic character of ministry encourage a reorientation of the otherwise fairly generic approach to human development found in the *Program for Priestly Formation* and result in an approach honed for ministers?

3. While some might wish to link homosexual orientation to the occurrence of sexual abuse by clergy, attention to the capacity for empathy in the seminarian or priest relativizes gender orientation in light of the larger issue of developing the ability to move beyond self-preoccupation and narcissism (this culture's usual framework for understanding sexuality) to a healthy sense of the other and an embrace of the effects of that otherness on one's own self-understanding as a sexual being. Reflection on the function of empathy in all ministry might lead to a more integrated understanding of sexuality in the life and work of the minister.

What I'm suggesting in all of this is that the limitations of the moral/religious, the legal/criminal, and the purely psychological lenses being used for looking at the reality of and the crisis caused by the sexual abuse of minors by clergy, whether taken separately or together, call us to explore a different hermeneutical lens—one which begins in the realm of pastoral theology, but which can also serve to raise issues in the disciplines represented by the other panelists this evening.

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THE CRISIS IN THE CHURCH:  
ONE BISHOP'S PERSPECTIVE

When I came to the CTSA meeting in New Orleans last June, we were caught in the riptide of an enormous national pastoral crisis. Then, and today a year later, I still seek the wisdom of theological partners and colleagues from across the nation, and some further insight into the profound pain experienced in every local church, albeit in slightly different ways because the events themselves have varied so greatly from one diocese to another.

Having been one of the original writers for the NCCB document, "Doctrinal Responsibilities,"<sup>1</sup> I knew that it was intended to bring light and healing to accusations of heresy and "theological misconduct" brought in a volatile age against either theologians or bishops. That document stipulated a fourfold process of discernment for such situations: (1) the quest for the *facts* in the matter; (2) a determination of the *intention* behind the facts whatever they may have been; (3) an assessment of the *relative seriousness* of the issue itself; and, finally, (4) a decision as to *what might best be done for the well-being of the local church*. When I was involved in the document's composition some fifteen years ago, I never dreamed that it might provide light for the pastoral heartaches of the past year. Even now, I'm not sure that its wisdom has as yet been adequately utilized for our situation.

As each of us knows, good theological reflection cannot be done instantaneously. It does require a level of thoughtful analysis impossible in a world of immediate commentary on everything. Immediacy can be both blessing and curse. I have a suspicion that medieval theology, for example, benefited greatly by the reality that good communication takes time.

The past year in Milwaukee was extraordinarily difficult. Finally I took a week before Christmas to live in a *Poustinia*, and journal my way into clarity, then another week after the holidays to walk the beaches of Mexico, and finally ten days of personal retreat at the tomb of Augustine of Hippo in Pavia, northern Italy. The distance and the perspective helped enormously.

As a biblicist I have my own professional perspective on things. I tend to look for the fundamental experience behind the text, for example, then for the categories which initially framed its expression, and finally for the historical unfolding of the tradition and its impact on the life of the Church. I place this to the side this evening. The task of a Catholic theologian is to explore the mystery of God as seen through the needs of the whole Church. The vocation of a theologian is to continue learning constantly.

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<sup>1</sup>"Doctrinal Responsibilities: Approaches to Promoting Cooperation and Resolving Misunderstandings between Bishops and Theologians," *Origins* 19/7 (29 June 1989): 97-110.

Curiously enough, as I pondered everything during my days in the hermitage, I found some twenty-five factors which either remotely or more proximately over time contributed to the enormous pain experienced in the Church last year. Some of those influences are historical, others pastoral or ecclesial, still other factors continue to wander in my mind as pilgrims unsure of which category might best give them a home.

Tonight's panel is not the proper moment to share the entire litany of these contributing factors, certainly not to analyze them. Because a theologian is called to lifelong discipleship, let me simply summarize what I have learned this past year from the firestorm of God's sovereign action in our midst, a phrase which constitutes my "shorthand" for the Kingdom of God. I certainly believe that God has been active in this entire situation, painful as it has been.

I learned, or assimilated more profoundly over this past year, at least seven major truths.

First, traditionally the best pastors were always those known for their wisdom and compassion. They were individuals sought out for their understanding, prized for their kindness and cherished as confessors. Such were also the individuals most often recommended for the office of bishop. I have learned over this past year, however, that compassion without equal portions of truth and justice can become toxic. The necessity for all these elements cannot be over-emphasized.

Secondly, I have learned the necessity of staying in constant dialogue with science, especially the developing disciplines which impact pastoral decisions such as those reassignment practices which suddenly came to light this past year. I can't even begin to describe the growth in our common understanding of sexual addiction, for instance, nor the enormous changes which have occurred in society regarding those issues. Almost fourteen years ago in Milwaukee we established an Advisory Board formed of professionals from the community to bring the best advice available to our personnel work. To judge past decisions in view of present knowledge isn't helpful, but it does illustrate the rate of change which no religious superior cannot afford to ignore.

Thirdly, elected lay leadership, especially in bodies such as a diocesan pastoral council, has been a treasure in the Church whose value has only been enhanced through this past year. After thirty years of ministerial training shared by candidates for ordination and professional lay ministry in Milwaukee, we know the priceless mutual contribution which ongoing collaboration of clergy and laity can bring to the maturity of faith and ministry. Bringing all major policy issues to the pastoral bodies of a diocese is more than a luxury or a gesture of goodwill; it is an obligation. I have learned to trust those groups more than ever. They have been wonderful in assisting me during my own administrative baptism by fire.

Fourthly, I have learned that the ministry of sacramental forgiveness of sin is a very grave matter. One should never exercise it lightly nor casually. Far too often, perhaps because of our historical emphasis on individual auricular con-

fession alone, we have neglected to ponder the full effect of one person's sin on others, especially in the area of sexuality. When the focus is on the penitent alone, the Church's full ministry to confront sin is sorely limited. Communal penance is a movement to find greater balance in these matters. But even so, a few prayers, however sincere, can never address the harm done by any evil. I have learned not to be so casual, albeit for the best intentions, with that ministry of personal reconciliation.

Fifthly, we have all learned again the dangers of a clericalism which presumed entitlement to special considerations. Or, to say it differently, professional religious leadership, "judicatory heads" as my ecumenical friends would term it, is somehow by definition, a vocation often inherently "at risk" . . . due to increased responsibilities, higher and more public profile, greater scrutiny and the inevitable distancing of the support system provided by colleagues. A circle of partners who constantly speak the truth in love (Eph 4:15) is crucial for the health and effective ministry of everyone called to serve the Church.

Sixthly (and here I feel a bit Lonerganian in the ease with which I accumulate numbers), the entire Church must again find the right balance between legitimate confidentiality and that type of secrecy which only harms the Body of Christ. Certain professions in society, such as legal counsel, medical practice or pastoral ministry, are often the recipients of profound confidences, and the bearers of trust. Somehow that must be protected from a knee-jerk reaction which could now strip away some very important elements of social interaction and service.

Finally, I know that the press by definition plays a very important role in society and in the Church. What I have learned is that every skilled reporter begins with an angle on a given story and tends to cull out any element which complicates or diffuses the account. Reporting for a newspaper concerned with concisely serving the need for human interest is not the same as providing analysis. I guess we have to live with the reality of the former and constantly emphasize the need for the latter, and indeed within the whole Church.

In conclusion, we are always humbled by the opportunity to see things from a different perspective. Over the past year, especially when faced with the public recitation of very painful events experienced by victims of truly tragic violation by bishops, priests, sisters, deacons, professional lay leaders, and family members, my heart has broken again and again, even while knowing that there is always also "the rest of the story." There have been times when any effort to offer that further comment, even in the service of truth, would be viewed as self-justification, defensiveness, or simply as discounting the terrible and very real pain of a victim. I have learned that one cannot always tell the rest of the story. Sometimes that must remain in God's hands alone.

My hope is that our experience in the Church can somehow become an occasion for all of society to accept the recognition that these issues of sexual abuse permeate all parts of our society and our world. Perhaps postmodern fragmentation can discover some absolutes again. The pain and anger of victims,

however, is a very holy place; the confusion of good-intentioned religious leaders trying to bring God's grace to human sorrow is also a holy place.

I have sought arenas blessed by mutual trust and respect where the past could be presented candidly for review, almost like a case study in search of wisdom. If not here at the Catholic Theological Society of America, where?

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